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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/535,743 | 05/20/2005 | Dan Bertil Duroj | | 9645 |

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Dan Duros
Attn: Dr. Ludwig Brann Patentbyra: AB
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| EXAMINER |
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COX, NATISHA D

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| ART UNIT | PAPER NUMBER |
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2448

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05/11/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/535,743 | Applicant(s) DUROJ, DAN BERTIL | |
| | Examiner NATISHA COX | Art Unit 2448 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05/20/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to the application 10/535743 filed on 05/20/05.

Claims 1- 18 are pending.

Claim Objections

1. Claims 1 and 10 are objected to because of the following informalities:

Claim 1 recites the limitation "the existing type of access blockage" in line 12. As "the existing type" was not previously disclosed, it should be written as "an existing type of access blockage".

Claim 1 recites the limitation "the type of allowable data packets" in line 11. As "the type of allowable data packets" was not previously disclosed, it should be written as "a type of allowable data packet".

Claim 1 recites the limitation "the wanted type of data packets" in line 15. As "the wanted type" was not previously disclosed, it should be written as "the allowable type of data packets".

Claim 1 recites the limitation "the allowable type of data packages" in line 16. For consistency, it should be written as "the allowable type of data packets".

Claim 1 recites the limitation "the correct type" in line 16. As "the correct type" was not previously disclosed, it should be written as "a correct type".

Claim 1 recites the limitation "the correct questioning" in line 118. As "the correct questioning" was not previously disclosed, it should be written as "a correct questioning".

Claim 1 recites the limitation "the structure" in line 18. As "the structure" was not previously disclosed, it should be written as "a structure".

Claim 1 recites the limitation "the wanted structure" in line 18. As "the wanted structure" was not previously disclosed, it should be written as "an allowable structure".

Claim 1 recites the limitation "the specific port" in line 19. As "the specific port" was not previously disclosed, it should be written as "a specific port".

Claim 1 recites the limitation "an external network" in line 12. However, it is submitted that an external network connection is established.

Claim 1 recites the limitation "conveying" in line 12. However, for the sake of simplicity it is suggested to "transporting".

Claim 10 recites corresponding limitations of claim 1, and thus rejected for the same reason set forth above.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1- 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1 and 10, the phrase "per se" renders the claim indefinite because it is unclear whether the limitation(s) preceding the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 1 recites the limitation "said networks" in line 6, 8 and 21. There is insufficient antecedent basis for this limitation in the claim. It is unclear as to what network the applicant is referring too. Examiner interprets "said networks" as a local network.

Claim 1 recites the limitation "said host computer" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "said host computers temporary catalogues" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "said network per se" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "said data" in line 17. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "said files" in line 20 and 21. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the network" in line 22. It is unclear as to what network the applicant is referring.

Claim 5 recites the limitation "said media" in line 23. There is insufficient antecedent basis for this limitation in the claim.

Claims 6, 7, 8 and 9 recites the limitation "said media software" in line 26. There is insufficient antecedent basis for this limitation in the claim.

Claims 10- 18 recite corresponding limitations of claims 1- 9, and thus rejected for the same reason set forth above.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1- 9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims are drawn to a "handheld network connection". The "handheld connection" is not a process, machine, manufacture or composition of matter, thus, does not fall within a patentable eligible subject matter category.

Allowable Subject Matter

4. Claims 1- 18 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and 35 U.S.C. 101, set forth in this office action, above.

The following is a statement of reasons for the indication of allowable subject matter: Independent claim 1 and 10 teaches a method for a handheld network connection created with at least two storage media in pocket format, with software for communication of data packets between at least two network access blockages of the type of at least one of a firewall, socks, IP-filter and proxy, comprising the steps of: each said storage media having an interface to a host computer in said networks, and which through software establishes communication with said host computer within said networks by utilizing said host computers temporary catalogues which provides access to said host computer without disturbing its file structure; having an access methodic comprised in a crypto-daemon testing to establish a tunneling to an external central server regarding the type of the allowable data packets for communication towards the existing type of access blockage, said crypto-daemon establishing said tunneling towards said external central server passing said access blockage through a test establishment of a communication with said access blockage, said connecting methodic adapting to the wanted type of data packets by repeatedly questioning said access blockage for the allowable type of data packages until the correct type is encountered by remembering and repeatedly disregarding wrong questionings, and at

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the correct questioning changing the structure of the data package to the wanted structure for the specific port at hand for a communication; and whereby an external network is established through said external central server outside said networks for simultaneous communication through at least two storage media and their software, said tunneling through said access blockage being provided without trespassing said networks per se, conveying towards said access blockage unrestricted capacity for said communication of data packets. The cited prior art taken alone or in combination fail to teach or disclose the each and every element of the claimed invention as recited in independent claims 1 and 10, above.

Claims 2-9 and 11-18 depend from claims 1 and 10, respectively, and are therefore allowable due to their dependence from allowable base claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natisha Cox whose telephone number is (571)270-7167. The examiner can normally be reached on Monday to Thursday and every other Friday, 6:30am - 4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571)272-6703. The fax phone

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number for the organization where this application or proceeding is assigned is (571) 273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairdirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/NATISHA COX/
Examiner, Art Unit 2448
5/7/2010

/HASSAN PHILLIPS/

Primary Examiner, Art Unit 2451